

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT G. WYCKOFF,	:	CIVIL ACTION NO. 00-2248
	:	
Plaintiff,	:	
	:	
	:	
v.	:	CHIEF JUDGE AMBROSE
	:	
METROPOLITAN LIFE INSURANCE	:	
COMPANY AND KENNETH F.	:	
KACZMAREK,	:	
	:	
Defendants	:	

**METROPOLITAN LIFE INSURANCE COMPANY’S AND KENNETH F.  
KACZMAREK’S MOTION IN LIMINE TO EXCLUDE FROM EVIDENCE  
PLAINTIFF’S EXHIBIT NO. 63 CALL CENTER SURVEYS.**

Metropolitan Life Insurance Company (“MetLife”) and Kenneth F. Kaczmarek bring this Motion in Limine to Exclude From Evidence Plaintiff’s Exhibit No. 63 call center surveys.

1. In Plaintiff’s exhibit list dated September 27, 2006, Plaintiff has identified Exhibit No. 63 Call Center Surveys. A copy of proposed Exhibit No. 63 is attached as Exhibit A.<sup>1</sup>

2. Plaintiff’s Proposed Exhibit No. 63 should be excluded for the reasons set forth in detail in MetLife’s and Kenneth F. Kaczmarek’s Brief in Support of its Motion in Limine to Exclude Exhibit No. 63 Call Center Surveys.

WHEREFORE, based on the foregoing reasons as well as those set forth in the accompanying brief, Defendants respectfully requests that this Court bar the introduction of the irrelevant and highly prejudicial Exhibit No. 63 Call Center Surveys.

Respectfully Submitted,

s/ B. John Pendleton, Jr.

<sup>1</sup> Exhibit B is a portion of Rayl’s testimony in Rayl v. Metropolitan Life Insurance Co., Inc., CV 97-505.

B. John Pendleton, Jr.  
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Attorneys for Defendants  
Metropolitan Life Insurance Company  
and Kenneth F. Kaczmarek

Dated: October 3, 2006

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 3rd day of October 2006, a true and correct copy of the foregoing METROPOLITAN LIFE INSURANCE COMPANY'S AND KENNETH F. KACZMAREK'S MOTION IN LIMINE TO EXCLUDE FROM EVIDENCE PLAINTIFF'S EXHIBIT NO. 63 CALL CENTER SURVEYS was served upon the following via the electronic filing system:

Kenneth R. Behrend, Esquire  
BEHREND & ERNSBERGER, P.C.  
Union National Bank Building, 3<sup>rd</sup> Floor  
306 Fourth Avenue  
Pittsburgh, Pennsylvania 15222

s/ B. John Pendleton, Jr.\_\_\_\_\_